



10080943.100808 MP/#

WENMM/SB/21 (12/00)

**TRANSMITTAL
FORM**

(to be used for all correspondence after initial filing)

| | | |
|--|----------------------|------------------------|
| Total Number of Pages in this Submission | Application Number | 10/080.943 |
| | Filing Date | February 22, 2002 |
| | First Named Inventor | Field, Loren J. et al. |
| | Group Art Unit | 1653 |
| | Examiner Name | |
| Attorney Docket Number | 7037-458 | |

ENCLOSURES (check all that apply)

| | | |
|---|---|--|
| <input checked="" type="checkbox"/> Fee Transmittal Form | <input type="checkbox"/> Assignment Papers | <input type="checkbox"/> After Allowance Communication to Group |
| <input checked="" type="checkbox"/> Fee Attached | <input checked="" type="checkbox"/> Drawing(s) | <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences |
| <input type="checkbox"/> Amendment Response | <input type="checkbox"/> Licensing-related Papers | <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) |
| <input type="checkbox"/> After Final | <input type="checkbox"/> Petition Routing Slip (PTO/SB/69) and Accompanying Petition | <input type="checkbox"/> Proprietary Information |
| <input type="checkbox"/> Affidavits/declaration(s) | <input type="checkbox"/> To Convert a Provisional Application | <input type="checkbox"/> Status Letter |
| <input checked="" type="checkbox"/> Extension of Time Request | <input checked="" type="checkbox"/> Power of Attorney, Revocation, Change of Correspondence Address | <input checked="" type="checkbox"/> Additional Enclosure (please identify below) |
| <input type="checkbox"/> Express Abandonment Request | <input type="checkbox"/> Terminal Disclaimer | <input checked="" type="checkbox"/> Return Receipt Postcard |
| <input type="checkbox"/> Information Disclosure Statement | <input type="checkbox"/> Small Entity Statement | Submission of Sequence Listing |
| <input type="checkbox"/> Certified Copy of Priority Documents | <input type="checkbox"/> Request for Refund | |
| <input type="checkbox"/> Response to Missing Parts/Incomplete Application | Remarks | |
| <input checked="" type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53 | | |

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

| | |
|-------------------------|--|
| Firm or Individual Name | Kenneth A. Gandy Woodard, Emhardt, Naughton, Moriarty, & McNett LLP |
| Signature | |
| Date | October 3, 2002 |

Certificate of Mailing

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington D.C. 20231 on this date.

| | | | |
|-----------------------|------------------|------|-----------------|
| Typed or printed name | Kenneth A. Gandy | Date | October 3, 2002 |
| Signature | | | |

IU-099-US:KAG:186033/am

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

FEE TRANSMITTAL

FOR FY 2002

Patent fees are subject to annual revision.

Complete if Known

| | |
|------------------------|------------------------|
| Application Number | 10/080,943 |
| Filing Date | February 22, 2002 |
| First Named Inventor | Field, Loren J. et al. |
| Group Art Unit | 1653 |
| Examiner Name | |
| Attorney Docket Number | 7037-458 |

Total Amount of Payment **(\$)** 1,570.00

METHOD OF PAYMENT

1. ☐ The Commissioner is hereby authorized to charge indicated fees and credit any over payment to:

23-0303

Woodard, Emhardt, Naughton, Moriarty & McNett

☒ Charge any Additional Fee Required Under 37 CFR 1.16 and 1.17

☐ Applicant claims small entity status. See 37 CFR 1.27.

2. ☒ Payment Enclosed:

☒ Check ☐ Credit Card ☐ Money Order ☐ Other

FEE CALCULATION

| 1. BASIC FILING FEE | | | | | Fee Paid |
|---------------------|-----------------|----------------|-----------------|------------------------|----------|
| Large Fee Code | Entity Fee (\$) | Small Fee Code | Entity Fee (\$) | Fee Description | |
| 101 | 740 | 201 | 370 | Utility Filing Fee | |
| 106 | 330 | 206 | 165 | Design Filing Fee | |
| 107 | 510 | 207 | 255 | Plant Filing Fee | |
| 108 | 740 | 208 | 370 | Reissue Filing Fee | |
| 114 | 160 | 214 | 80 | Provisional Filing Fee | |
| SUBTOTAL (1) (\$) | | | | | |

2. EXTRA CLAIM FEES

Total Claims -20** = X =

Independent Claims -3** = X =

Multiple Dependent: =

| Large Fee Code | Entity Fee (\$) | Small Fee Code | Entity Fee (\$) | Fee Description |
|----------------|-----------------|----------------|-----------------|---|
| 103 | 18 | 203 | 9 | Claims in excess of 20 |
| 102 | 84 | 202 | 42 | Independent claims in excess of 3 |
| 104 | 280 | 204 | 140 | Multiple dependent claim, if not paid |
| 109 | 84 | 209 | 42 | **Reissue independent claims over original patent |
| 110 | 18 | 210 | 9 | **Reissue claims in excess of 20 and over original patent |

SUBTOTAL (2) (\$)

**For number previously paid, if greater; For Reissue, see above

3. ADDITIONAL FEES

| Large Fee Code | Entity Fee (\$) | Small Fee Code | Entity Fee (\$) | Fee Description | Fee Paid |
|----------------|-----------------|----------------|-----------------|--|----------|
| 105 | 130 | 205 | 65 | Surcharge - late filing fee or oath | 130.00 |
| 127 | 50 | 227 | 25 | Surcharge - late provisional filing fee or cover sheet | |
| 139 | 130 | 139 | 130 | Non-English specification | |
| 147 | 2,520 | 147 | 2,520 | For filing a request for expedited examination | |
| 112 | 920* | 112 | 920* | Requesting publication of BRI prior to Examiner | |
| 113 | 1,840* | 113 | 1,840* | Requesting publication of BRI after Examiner action | |
| 115 | 110 | 215 | 55 | Extension for reply within first month | |
| 116 | 490 | 216 | 200 | Extension for reply within second month | |
| 117 | 930 | 217 | 460 | Extension for reply within third month | |
| 118 | 1,440 | 218 | 720 | Extension for reply within fourth month | 1440.00 |
| 125 | 1,950 | 225 | 980 | Extension for reply within fifth month | |
| 119 | 320 | 219 | 160 | Notice of Appeal | |
| 120 | 320 | 220 | 160 | Filing a brief in support of an appeal | |
| 121 | 280 | 221 | 140 | Request for oral hearing | |
| 138 | 1,510 | 138 | 1,510 | Petition to institute a public use proceeding | |
| 140 | 110 | 240 | 55 | Petition to revive - unavoidable | |
| 141 | 1,280 | 241 | 640 | Petition to revive - unintentional | |
| 142 | 1,280 | 242 | 640 | Utility issue fee (or reissue) | |
| 143 | 460 | 243 | 230 | Design issue fee | |
| 144 | 620 | 244 | 310 | Plant issue fee | |
| 122 | 130 | 122 | 130 | Petitions to the Commissioner | |
| 123 | 50 | 123 | 50 | Petitions related to provisional applications | |
| 126 | 180 | 126 | 180 | Submission of Information Disclosure Sheet | |
| 181 | 40 | 181 | 40 | Recording each patent assignment per property (times number of properties) | |
| 145 | 740 | 245 | 370 | Filing a submission after final rejection (37 CFR 1.129(a)) | |
| 149 | 740 | 249 | 370 | For each additional invention to be examined (37 CFR 1.129(b)) | |
| 179 | 740 | 279 | 370 | Request for Continued Examination (RCE) | |
| 169 | 900 | 169 | 900 | Request for expedited examination of a design application | |

Other Fee (specify) _____

* Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$)

SUBSTITUTE

Complete if applicable

| | | | | | |
|-------------------|------------------|-----------------------------------|-----------------|-----------|----------------|
| Name (Print/Type) | Kenneth A. Gandy | Registration No. (Attorney/Agent) | 33,386 | Telephone | (317) 634-3456 |
| Signature | | Date | October 3, 2002 | | |

Warning: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual office. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231



IU-099 US.KAG;186035/am

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re patent application of:

Loren J. Field et al.

Filed: February 22, 2002

Serial No.: 10/080,943

p193 PROTEINS AND NUCLEIC ACIDS, AND
USES THEREOF

) Group Art Unit

) 1653

I hereby certify that this correspondence is being
deposited with the United States Postal Service
as first class mail in an envelope addressed to the
Assistant Commissioner for Patents,
Washington, D.C. 20231 on

October 3, 2002

(Date of Deposit)

Kenneth A. Gandy

Name of Registered Representative

Signature

October 3, 2002

Date of Signature

**RESPONSE TO NOTICE TO FILE MISSING PARTS
OF NONPROVISIONAL APPLICATION**

BOX MISSING PARTS

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

In response to the Notice to File Missing Parts of Nonprovisional Application dated April 3, 2002, please find enclosed an executed Declaration/Power of Attorney form, Formal drawings, a copy of the Sequence Listing for which the original has been sent to "Box Sequence" and a check for the surcharge amount of \$130.00 as set forth in 37 CFR 1.16(l) for a large entity. Any additional necessary fees may be charged to or overpayment credited to Deposit Account No. 23-3030, but not to include payment of issue fees.

Respectfully Submitted,

By:

Kenneth A. Gandy
Kenneth A. Gandy, Reg. No. 33,346
Woodard, Emhardt, Naughton,
Moriarty & McNett
Bank One Center/Tower
111 Monument Circle, Suite 3700
Indianapolis, Indiana 46204-5137
(317) 634-3456



UNITED STATES PATENT AND TRADEMARK OFFICE

#5

 COMMISSIONER FOR PATENTS
 UNITED STATES PATENT AND TRADEMARK OFFICE
 WASHINGTON, D.C. 20231
 WWW.USPTO.GOV

| APPLICATION NUMBER | FILING/RECEIPT DATE | FIRST NAMED APPLICANT | ATTORNEY DOCKET NUMBER |
|--------------------|---------------------|-----------------------|------------------------|
| 10/080,943 | 02/22/2002 | Loren J. Field | 7037-458 |



CONFIRMATION NO. 6536

FORMALITIES LETTER



0C00000007780208

Kenneth A. Gandy
 Woodard, Emhardt, Naughton, Moriarty & McNett
 Bank One Center/Tower
 111 Monument Circle, Suite 3700
 Indianapolis, IN 46204-5137

Date Mailed: 04/03/2002

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(i) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 130.

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Substitute drawings in compliance with 37 CFR 1.84 because:
 - drawing sheets do not have the appropriate margin(s) (see 37 CFR 1.84(g)). Each sheet must include a top margin of at least 2.5 cm. (1 inch), a left side margin of at least 2.5 cm. (1 inch), a right side margin of at least 1.5 cm. (5/8 inch), and a bottom margin of at least 1.0 cm. (3/8 inch);
 - drawings submitted to the Office are not electronically reproducible. Drawing sheets must be submitted on paper which is flexible, strong, white, smooth, non-shiny, and durable (see 37 CFR 1.84(e));
- This application clearly fails to comply with the requirements of 37 C.F.R. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at

 10/09/2008 STEPHEN 00000973 10000943 130.00 DP
 01 FC105

63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing", an initial paper or compact disc copy of the "Sequence Listing", as well as an amendment directing its entry into the application. Applicant must also provide a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

For questions regarding compliance to these requirements, please contact:

- For Rules Interpretation, call (703) 308-4216
- To Purchase PatentIn Software, call (703) 306-2600
- For PatentIn Software Program Help, call (703) 306-4119 or e-mail at patin21help@uspto.gov or patin3help@uspto.gov

A copy of this notice MUST be returned with the reply.

NP

Customer Service Center
Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE